

From: Scott McCool
To: Microsoft ATR
Date: 1/24/02 3:53pm
Subject: Microsoft Settlement

I am writing to register my opposition to the proposed settlement in the Microsoft antitrust case. As both a professional software engineer and a long time computer user, I am outraged at the way your department has quite literally ignored previous court rulings and finding of facts.

The currently proposed remedies do not even amount to a slap on the wrist, and it appears Microsoft has been able to insert loopholes into every important facet of the agreement.

The insistence that 3rd party middleware can be bypassed if it "fails to implement a reasonable technical requirement" basically allows them to define their own requirements (Their proprietary ActiveX technology, for instance), then ignore third party applications that don't implement a requirement that MS defined and controls.

Equally as absurd is the caveat which allows Microsoft to withhold any API on the grounds that it might "compromise the security of a particular installation...". First of all, Microsoft is the last company in the world that should be listened to when it comes to designing secure applications. Second of all, the history of computing is filled with examples of open API's resulting in significantly more secure applications and operating systems. Open source software and API's are not just theories or experiments, but rather proven design paradigms that result in robust and secure software.

Aside from particular concerns with the agreement, I find the entire process to be in complete opposition of the spirit and letter of previous court findings. Frankly, it appears as if Department of Justice has decided to ignore every previous finding of fault in Microsoft, as well as previously proposed remedies, and instead come up with a nearly incomprehensible legal agreement with virtually zero teeth and declare it a win for the government. The acceptance of this proposal will do nothing to curtail Microsoft's monopoly, to help competitors, to protect the consumer from the effects of predatory pricing and the lack of competitors, or to punish Microsoft financially for years of illegal monopolistic acts.

Thank you for allowing me the opportunity to voice my displeasure.

Sincerely,

Scott McCool

Reston, Virginia